

**This order is SIGNED.**

**Dated: May 1, 2015**

*William J. Thurman*

**WILLIAM T. THURMAN  
U.S. Bankruptcy Judge**



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**IN THE UNITED STATES BANKRUPTCY COURT  
DISTRICT OF UTAH**

**IN RE:  
DAVID M. McKAY and  
SHALECE McKAY,**

**Debtor(s).**

**Bankruptcy Case No. 11-35951 WTT  
Chapter 13**

**ORDER GRANTING DEBTORS' AMENDED MOTION TO AUTHORIZE SALE OF  
REAL PROPERTY, REDUCING CLAIM NO. 12 IN FAVOR OF BANK OF CAMDEN  
TO ZERO, AND AWARDING ATTORNEY'S FEES**

Based upon Debtors' Amended Motion to Authorize Sale of Real Property, Reduce Claim No. 12 in Favor of Bank of Camden to Zero, Authorize Employment of Real Estate Agent, and Award Attorney's Fees, and good cause appearing;

IT IS HEREBY ORDERED that;

1. Debtors are authorized to sell their home and real property located at 450 North 400 East,

Lehi, Utah (“the Property”) to Trevor Mark and Denesia Avrilla Olsen for \$182,500.00, or substantially similar terms.

2. The sale proceeds shall be used to pay the Bank of Camden, the holder of a first mortgage lien against the Property, the full amount it is owed.

3. Claim No. 12 in favor of Bank of Camden shall be reduced to zero upon full payment of this claim by the closing agent, and the Chapter 13 Trustee may administer and close the case without further payment to Bank of Camden.

4. The sale proceeds shall also be used to pay any other valid and existing liens and encumbrances against the Property, and reasonable closing costs.

5. Debtors may retain any remaining sales proceeds after payment of the above amounts pursuant to their homestead exemption provided for under Utah Code Ann. §78B-5-503.

6. The sale proceeds shall not be used to pay a real estate agent commission in connection with this transaction until the Court approves employment of the real estate agent and payment of a commission.

7. Debtors shall provide a copy of the updated estimated settlement statement to the Chapter 13 Trustee prior to the closing of the transaction.

8. Debtors shall provide a copy of the final settlement statement to the Chapter 13 Trustee within seven (7) days after the closing.

9. Debtors shall file Amended Schedules I and J and a notice of their new address within thirty (30) days after the closing.

10. The Chapter 13 Trustee shall be entitled to his commission on any pre-petition mortgage

arrearages, taxes, or other encumbrances paid through the closing that would otherwise be paid by the Chapter 13 Trustee.

11. Debtors' attorney, Robert A. Eder Jr., is awarded attorney's fees and costs in the amount of \$798.72, which shall be allowed as an administrative expense under 11 U.S.C. § 503(b) and paid by the Chapter 13 trustee from property of the estate to the extent funds are available.

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Approved as to form and content:

(to be endorsed electronically)

Ryan C. Cadwallader  
Attorney for Kevin R. Anderson, Chapter 13 Trustee

DESIGNATION OF PARTIES TO RECEIVE NOTICE

Service of the foregoing ORDER GRANTING DEBTORS' AMENDED MOTION TO AUTHORIZE SALE OF REAL PROPERTY, REDUCING CLAIM NO. 12 IN FAVOR OF BANK OF CAMDEN TO ZERO, AND AWARDING ATTORNEY'S FEES shall be served to the parties and in the manner designated below:

**By Electronic Service:** I certify that the parties of record in this case as identified below, are registered CM/ECF users:

Kevin R. Anderson tr   ecfmail@ch13kra.com, lneebling@ch13kra.com  
Robert A. Eder   rob@ederlaw.net, mindy@ederlaw.net; rob@ecf.inforuptcy.com;  
                    autumn@ederlaw.net  
United States Trustee   USTPRegion19.SK.ECF@usdoj.gov  
Kent O. Willis   dianneo@utahcounty.gov

**By U.S. Mail:** In addition to the parties of record receiving notice through the CM/ECF system, the following parties should be served notice pursuant to Fed R. Civ. P. 5(b).

NONE

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(Signature by Filer)